

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Wolfgang Stutius on 09/23/08.

The application has been amended as follows:

In claim 1, line 1: after "embolism filter" please delete -- "with" -- and insert -- disposed on a guidewire, said embolism filter having --

In claim 1, line 6: after "the actuatable stop" please insert -- disposed --

In claim 11, line 1: after "embolism filter" please delete -- "with" -- and insert -- disposed on a guidewire, said embolism filter having --

In claim 29, line 1: after "actuatable guidewire stop" please insert -- disposed on a guidewire, said guidewire stop --

2. The following is an examiner's statement of reasons for allowance: Regarding claims 1 and 29, Thielen discloses an embolism filter with an actuatable stop (60) configured to selectively stop the embolism filter from longitudinally moving along the length of a guidewire (20), the filter comprising: a filter element (80) secured to a sleeve (10) slidably disposed about a guidewire. Thielen fails to disclose or fairly suggest providing a restrainer disposed in a radial space between the actuatable stop and the guidewire, wherein the stop is actuated through removal or dissolution of the restrainer to **urge the actuatable stop against the guidewire** to prevent movement of the filter element along the guidewire. Regarding claim 11, Kraus et al. disclose an actuatable

Art Unit: 3734

stop (94) configured to selectively stop an embolism filter from longitudinally moving along a guidewire, the actuatable stop comprising at least one inflatable member. Since Kraus et al. provide the inflatable member on the guidewire, Kraus et al. fails to disclose or fairly suggest the inflatable member urged **against** the guidewire. Further, there is no motivation to provide the inflatable member on the sleeve or catheter such that it is urged against the guidewire when inflated.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JENNIFER L. HORNBERGER whose telephone number is (571)270-3642. The examiner can normally be reached on Monday through Friday from 8am-5pm, Eastern time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Todd Manahan can be reached on (571)272-4713. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3734

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jlh
08/24/08

/Todd E Manahan/
Supervisory Patent Examiner, Art Unit 3731